

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

JOHN A. HAWN, BRYAN LINDSEY,
HEATHER SEAWRIGHT, RONNIE HORTON,
and MATILDA MOORE

PLAINTIFFS

v.

CIVIL ACTION NO.: 1:13-cv-00036-GHD-DAS

CHRISTOPHER (C.G.) HUGHES and
MICHAEL BERTHAY, in their individual capacities;
and the COMMISSIONER OF PUBLIC SAFETY
FOR THE STATE OF MISSISSIPPI, for declaratory relief

DEFENDANTS

ORDER GRANTING DEFENDANT COMMISSIONER OF PUBLIC SAFETY FOR THE
STATE OF MISSISSIPPI'S
MOTIONS TO DISMISS PLAINTIFFS' CLAIMS AND
DEFENDANT/CROSSPLAINTIFF CHRISTOPHER (C.G.) HUGHES' CROSS-CLAIMS

Pursuant to an opinion issued this day, it is hereby ORDERED that:

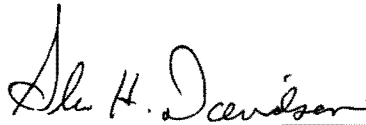
- (1) Defendant the Commissioner of Public Safety for the State of Mississippi's motion to dismiss [89] Plaintiffs' claims against it is GRANTED, as the same are unripe under Article III and barred by the Eleventh Amendment;
- (2) Plaintiffs' claims against Defendant the Commissioner of Public Safety for the State of Mississippi are DISMISSED;
- (3) Defendant the Commissioner of Public Safety for the State of Mississippi is DISMISSED AS A PARTY TO THE ACTION;
- (4) Defendant/Cross-Defendant the Commissioner of Public Safety for the State of Mississippi's motion to dismiss [91] Defendant/Cross-Plaintiff Christopher (C.G.) Hughes' cross-claims against Defendant the Commissioner of Public Safety for the State of Mississippi is GRANTED, as the same are unripe under Article III and barred by the Eleventh Amendment;

(5) Cross-Plaintiff Christopher (C.G.) Hughes' cross-claims against Defendant the Commissioner of Public Safety for the State of Mississippi are DISMISSED; and

(6) Christopher (C.G.) Hughes is DISMISSED AS A CROSS-PLAINTIFF in the action.

Plaintiffs' claims against Defendants Christopher (C.G.) Hughes and Michael Berthay, in their individual capacities, remain viable, and Defendants Christopher (C.G.) Hughes and Michael Berthay remain parties in the action.

It is SO ORDERED, this, the 2nd day of September, 2014.



SENIOR JUDGE